

AUG. 16. 2004 12:27PM

ANDERSON KILL OLICK P. C.

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AUG 16 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF:

HITOMI, et al

GROUP: 1653

SERIAL NO.: 09/910,208

EXAMINER: MAYES, Laurie A

FILED: JULY 20, 2001

FOR: NOVEL CALCIUM-BINDING PROTEINS

RESPONSE

Assistant Commissioner of Patents  
& Trademarks  
Washington, DC 20231

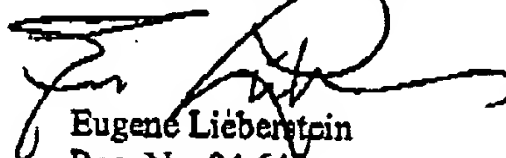
SIR:

This is in response to the Office Communication dated April 18, 2003.  
Please charge any requisite fees to Deposit Account 01-1944.

In response to the Restriction Requirement under 35 USC 121 applicant  
does not wish to change the election of Group II, now Group III inclusive of claims 18 -  
24 drawn to an antibody and an assay method using an antibody.

Applicant further acknowledges that original Group I has been subdivided into Groups I and II. Accordingly, applicant reserves the right to file a divisional application directed to Group I and/or Group II inclusive of claims 1 – 17.

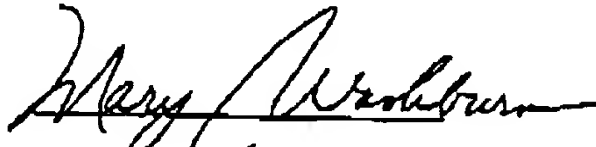
Respectfully submitted,

  
Eugene Lieberstein  
Reg. No. 24,643

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#### MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner of Patents & Trademarks, Washington, DC 20231 on May 21, 2003.

  
Date: May 21, 2003